Karen Johnson
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08/30/2024 01:03:03 PM
Fees: $42.00 Taxes: $0.00

Davidson County
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20240830-0067029

STATE OF TENNESSEE

****

ESPERANZA SORIANO-MCCRARY
[Plaintiff(s)]

vs.

Docket No: *24D161*

STEVEN MCCRARY
[Defendant(s)]

I, JOSEPH P. DAY, Clerk of the Circuit Court for Davidson County, in the State aforesaid, do hereby certify that the foregoing is a true and correct copy of the document heretofore entered in the above styled case on August 23, 2024 in the Third Circuit Court for Davidson County, Tennessee, as same remains of record in the Minutes of said Court.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, on August 28, 2024.

JOSEPH P. DAY CIRCUIT COURT CLERK

JOSEPH P. DAY, Clerk,

By: _____
Deputy Clerk

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IN THE THIRD CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE AT NASHVILLE

ESPERANZA SORIANO-MCCRARY,	)	
	)	
Plaintiff	)	
	)	
VS.	)	Docket No. 24D161
	)	
STEVEN MCCRARY,	)	NOTICE OF ENTRY REQUESTED
	)	
Defendant.	)	

FINAL DECREE OF DIVORCE

This cause came to be heard on the 31st day of July 2024, before the Honorable, Phillip Robinson Judge of the Third Circuit Court for Davidson County at Nashville, upon the Wife's Complaint for Absolute Divorce. Upon all of the pleadings, the testimony of Plaintiff and two witnesses, the statements of counsel and Defendant's failure to plead or otherwise defend this action within the time prescribed by law and the Tennessee Rules of Civil Procedure, from all of which the Court affirmatively finds that the allegations of Plaintiff's Complaint for Divorce are sustained by the proof in that there exist such grounds for the Plaintiff to obtain an absolute divorce in this case on the grounds of adultery, pursuant to Tenn. Code Ann. § 36-4-101. Wife should be awarded an absolute divorce upon the grounds of adultery based on Husband's admission of engaging in adulterous behavior to wife.

It is, therefore, ORDERED, ADJUDGED, and DECREED that the Wife, Esperanza Soriano-McCrary, should be and is hereby granted an absolute divorce from the Husband, Steven McCrary, upon the grounds of adultery, and that both parties should be and are hereby restored to all of the rights and privileges of an unmarried person.

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It is, further, ORDERED, ADJUDGED, and DECREED that the Wife's surname shall remain McCrary and henceforth, Wife's legal name shall be Esperanza Soriano-McCrary.

It is, further, ORDERED, ADUDGED, AND DECREED that Wife is awarded the marital residence and that all right, title, and interest that the Husband might have in the real property owned by the parties located at 337 Summit Ridge Circle, Nashville, TN 37215, and more particularly described below, is divested out of Husband and reinvested in Wife and the Wife owns this property free and clear of any interest or claim of the Husband.

FOR AND CONSIDERATION OF THE SUM OF TEN DOLLARS, CASH IN HAND PAID BY THE HEREINAFTER NAMED GRANTEES AND OTHER GOOD AND VALUABLE CONSIDERATIONS, THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, WE Matthew D. Fisher and wife, Crispin D. Mathias,

HEREINAFTER CALLED THE GRANTORS, HAVE BARGAINED AND SOLD, AND BY THESE PRESENTS DO TRANSFER AND CONVEY UNTO Steven McCrary and wife, Esperanza McCrary,

HEREIN AFTER CALLED THE GRANTEES, THEIR HEIRS AND ASSIGNS,

A CERTAIN TRACT OR PARCEL OF LAND IN DAVIDSON COUNTY, STATE OF TENNESSEE DESCRIBED AS FOLLOWS, TO-WIT:

A Condominium Apartment in Davidson County, Tennessee, being Unit No. 337 of Four Seasons Condominium, a horizontal property regime pursuant to the Tennessee Horizontal Property Act, as shown on Exhibit "D" to the Master Deed in Book 6841, page 349, Register's Office for said County, to which source reference is hereby made for more complete details of description, together with the said Apartment's appurtenant undivided interest in the general and limited common elements of the Condominium.

Being the same property conveyed to Matthew D. Fisher and wife Crispin D. Mathias by

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Warrant deed from Craig Alan Hewitt, Jr. married of record in Instrument No. 20100302-0015881 Register's Office for Davidson County, Tennessee, dated February 23, 2010 and recorded on March 02, 2010.

It is further, ORDERED, ADJUDGED, AND DECREED that Wife is awarded the household furnishings, including but not limited to the furniture in the residence located at 337 Summit Ridge Circle, Nashville, TN 37215.

It is further, ORDERED, ADJUDGED, AND DECREED that Wife is awarded all personal property in her possession.

It is further, ORDERED, ADJUDGED, AND DECREED that Wife is awarded the 2017 Maserati Ghibli, which Wife drives as Wife's vehicle, titled solely in the Wife's name. Any interest of the Husband in the vehicle is hereby divested from the Husband and reinvested in the Wife so that the Wife shall own said vehicle as Wife's sole property, free and clear of any claim of the Husband. Wife is solely responsible for any debts and encumbrances thereon, and shall further full be responsible for the timely payment of insurance, maintenance, repairs and all other expenses associated with said vehicle, and that Wife shall indemnify and hold Husband harmless thereon.

It is further, ORDERED, ADJUDGED, AND DECREED that Husband is awarded the 2015 Mercedes 450, which Husband drives as Husband's vehicle, titled solely in the Husband's name. Any interest of the Wife in the vehicle is hereby divested from the Wife and reinvested in the Husband so that the Husband shall own said vehicle as Husband's sole property, free and clear of any claim of the Wife. Husband is solely responsible for any debts and encumbrances thereon, and shall further full be responsible for the timely payment of insurance, maintenance, repairs and all other expenses associated with said vehicle, and that Husband shall indemnify and hold Wife harmless thereon.

It is, further, ORDERED, ADJUDGED, and DECREED that the Wife shall be awarded

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the funds in the joint savings account, ending in [redacted], at The Credit Union and the account shall be closed. The Wife is also awarded her individual checking account as her individual property and Husband is hereby divested of any interest in the account.

It is, further, ORDERED, ADJUDGED, and DECREED that the Wife shall be awarded her retirement/pension/profit sharing plans with the State of Tennessee and Metro Nashville. Any interest that Husband might have in the retirement/pension/profit sharing plans shall be divested from Husband and reinvested in the Wife, so that Wife shall own Wife's retirement/pension/profit sharing plan as Wife's sole property, free and clear of any interest or claim of the Husband.

It is, further, ORDERED, ADJUDGED, and DECREED that the Wife shall be awarded and assigned the balance of Husband's retirement/pension/profit sharing plan in the amount of $35,000, with the State of Tennessee, Tennessee Consolidated Retirement System, account number ending in [redacted], in recognition of Wife's marital rights in Husband's benefits payable under the Retirement System. The interest of the Husband shall be divested from the Husband and reinvested in the Wife, so that the balance of Husband's retirement/pension/profit sharing plan is Wife's sole property, free and clear of any interest of claim of the Husband. The Court finds that Husband dissipated $85,000.00 from Husband's retirement/pension/profit sharing plan and awards Husband those funds the Husband previously withdrew from the account. This Order is intended to comply with and be administered and interpreted in accordance with Tenn. Code Ann. § 8—36-128 and Chapter 1700-03-03 of the Official Rules and Regulations. The terms of this Order can only be amended or terminated by subsequent order of the Court. This Order does not and shall not be construed to require the Retirement System to provide any benefit, allowance, or other payment not authorize under state or federal law. This Order does not and shall not be construed to grant the Alternate Payee any separate right, title, or interest to any retirement benefit other than to the payment from the Member' account provided under this

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Order.

It is, further, ORDERED, ADJUDGED, and DECREED that the Husband shall be awarded the retirement/pension/profit sharing plan with Tuskegee University, Alabama, and the interest of the Wife shall be divested and reinvested in the Husband, so that the Husband shall own Husband's retirement/pension/profit sharing plan as Husband's sole property, free and clear of any interest or claim of the Wife.

It is, further, ORDERED, ADJUDGED, and DECREED that the Husband shall be awarded the retirement/pension/profit sharing plan with Metro Nashville, and the interest of the Wife shall be divested and reinvested in the Husband, so that the Husband shall own Husband's retirement/pension/profit sharing plan as Husband's sole property, free and clear of any interest or claim of the Wife.

It is further ORDERED, ADJUDGED, and DECREED that Husband is awarded the real property or proceeds from the sale of the property located at 2019 Manz Street, Muskegon Heights, MI, as his separate property.

It is further ORDERED, ADJUDGED, and DECREED that Wife is awarded one-half (1/2) of the equity, $190,000.00, in the residence located at 337 Summit Ridge Circle, Nashville, TN 37215, as alimony *in solido,* and Wife is granted a judgment against Husband in the amount of $190,000.00.

It is further ORDERED, ADJUDGED, and DECREED that Wife is awarded four (4) years of rehabilitative alimony in the amount of $2,100.00 per month. Payments are to begin August 1, 2024 and due the 1st of each month thereafter.

It is further ORDERED, ADJUDGED, and DECREED that the Court finds that parties have not incurred joint marital debt and that parties are solely responsible for individual debts, and shall indemnify and hold the other party harmless thereon.

It is, further, ORDERED, ADJUDGED, and DECREED that the Wife is awarded

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reasonable attorney fee's associated with the prosecution and resolution of this matter and Wife is granted a judgment for the reasonable attorney fees in the amount of $3415.00, for which execution may issue if necessary.

It is, further, ORDERED, ADJUDGED, and DECREED that the costs of this cause should be and are hereby taxed to the Defendant.

It is, further, ORDERED, ADJUDGED, and DECREED, that Robert J Turner, Jill K Carpenter, and Nashville Law Offices, PLLC shall be, and hereby is, allowed to withdraw and is relieved as counsel of record.

The addresses of the parties at the time of the Final Decree of Divorce are as follows:

Wife	Husband
Esperanza Soriano-McCrary	Steven McCrary
337 Summit Ridge Circle	619 Roberts Circle
Nashville, TN 37215	Tuskegee, AL 36088

Pursuant to T.C.A. §36-4-134: This Final Decree of Divorce does not necessarily affect the ability of a creditor to proceed against a party or a party's property, even though the party is not responsible under the terms of this Final Decree for an account, any debt associated with an account or any debt. It may be in a party's best interest to cancel, close or freeze any jointly held accounts.

It is, therefore, so **ORDERED, ADJUDGED AND DECREED.**

Submitted August 23, 2024.

JUDGE PHILLIP ROBINSON

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APPROVED FOR ENTRY

NASHVILLE LAW OFFICES, PLLC

S/Jill K. Carpenter
Robert J Turner, No. 015107
Jill K. Carpenter, No. 023814
Attorneys for Plaintiff
500 Church St, Suite 210
Nashville, TN 37219
(615) 843-3476
Rob@NashvilleLawOffices.com
JCarpenter@NashvilleLawOffices.com

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing document has been served through the E-Flex system pursuant to TN Supreme Court Rule 46 Section 4.01, in which case an electronic copy was sent to the party; service of process not through the eFlex system was sent to the following individual(s) via the following method(s):

Wife
Esperanza Soriano-McCrary
337 Summit Ridge Circle
Nashville, TN 37215
(X) Via eFlex ( ) US Mail, Postage Paid ( )
Hand Delivery ( ) Facsimile _____

Husband
Steven McCrary
619 Roberts Circle
Tuskegee, AL 36088
( ) Via eFlex (X) US Mail, Postage Paid ( )
Hand Delivery ( ) Facsimile _____

S/Jill K. Carpenter
Robert J. Turner/Jill K. Carpenter